

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TANYA FITZPATRICK, on behalf of  
herself and all persons similarly situated,

Plaintiff,

v.

CAPITAL ONE FINANCIAL  
CORPORATION,

Defendant.

Civil Case No.: 2:22-cv-00312-MCE-DB

**ORDER GRANTING JOINT STIPULATION  
TO FILE AMENDED COMPLAINT AND  
EXTEND CASE DEADLINES**

Honorable Morrison C. England, Jr.

Pursuant to stipulation, and for good cause shown, the Court orders as follows:

1. Plaintiff shall file within three (3) days an amended complaint substituting Capital One Bank (USA), N.A., for Capital One Financial Corporation as the named defendant. If Plaintiff's forthcoming First Amended Complaint makes no other changes, Plaintiff shall retain the right to file a further amended complaint once as a matter of course under the circumstances otherwise permitted by Federal Rule of Civil Procedure 15(a)(1).

2. Capital One Bank (USA), N.A. shall file its motion to dismiss Plaintiff's forthcoming First Amended Complaint on or before May 6, 2022, which is the current deadline for Capital One Financial Corporation to file its response to the Complaint.


3. The parties' deadline to meet and confer as required by Federal Rule of Civil Procedure 26(f) shall be extended to two (2) weeks after the Court's ruling on Capital One Bank (USA), N.A.'s forthcoming motion to dismiss.

4. The parties' deadline to object to the Initial Pretrial Scheduling Order shall be extended to four (4) weeks after the Court's ruling on Capital One Bank (USA), N.A.'s forthcoming motion to dismiss.

5. All other existing case deadlines shall remain unchanged.

IT IS SO ORDERED.

Dated: March 23, 2022

  
MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE